

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00

INRE-00 ERDA-05 CIAE-00 H-02 INR-07 L-03 NSAE-00

OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01 SAM-01 SP-02

SS-15 TRSE-00 DODE-00 NSC-05 ACDA-05 BIB-01 ACDE-00

NRC-05 ERDE-00 /083 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3590

INFO AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L GENEVA 4308

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE: FOLLOW-UP: REDRAFT OF DANISH PAPER

REF: A) GENEVA 4232; B) GENEVA 4233; C) GENEVA 4248

1. THE EC-NINE NOW PLAN TO SUBMIT SLIGHT REDRAFT OF DANISH REVISION OF DANISH FOLLOW-UP PROPOSAL (REFTELS (A) AND (B)) TO NATO DELEGATION HEADS AFTERNOON JUNE 10, ALTHOUGH DRAFT STILL DOES NOT REFLECT FINAL EC-NINE AGREEMENT. MAIN ISSUE REPORTEDLY INVOLVES 1977 DATE OF SENIOR OFFICIALS MEETING WHICH, WE GATHER, FRENCH CONSIDER TO EARLY.

2. TEXT TO BE DISCUSSED DIFFERS FROM THAT SUBMITTED REFTTEL (B) IN FOLLOWING RESPECTS:

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A. IN PARA 1 (C): DELETE WORD "OF" BEFORE "UNESCO" AND

REPLACE WITH "THE WORK OF";

B. IN PARA 1 (C): DELETE LAST THREE WORDS "IN SPECIFIC TEXTS" AND REPLACE WITH "SUCH MEETINGS TO BE CONDUCTED ACCORDING TO MODALITIES DECIDED BY CONSENSUS, WHERE THESE MODALITIES HAVE NOT BEEN SPECIFIED IN THE TEXTS;"

C. IN SECOND PARAGRAPH OF PARA 2: DELETE "WHICH COULD INCLUDE" AND REPLACE BY "WHICH MIGHT INCLUDE";

D. IN PARA 4: DELETE FIRST SENTENCE AND REPLACE AS FOLLOWS: "MEETINGS ENVISAGED IN PARAGRAPHS 2 AND 3 ABOVE WILL CONDUCT THEIR AFFAIRS IN CONFORMITY WITH THE WORKING PROCEDURES OF THE CONFERENCE";

E. IN PARA 4: ADD FOLLOWING NEW SENTENCE AT END OF PARA: "ALL MEETINGS ENVISAGED IN THIS RESOLUTION WILL CONDUCT THEIR AFFAIRS UNDER THE RULE OF CONSENSUS."

3. ACTION REQUESTED:

(A) WE WOULD APPRECIATE DEPARTMENT'S TENTATIVE REACTIONS TO REVISED DANISH TEXT, INCLUDING TWO QUESTIONS POSED PARAS 5 AND 6 REFTEL (A), IF POSSIBLE BY AFTERNOON JUNE 10.

(B) IN THIS CONNECTION WE WOULD ALSO DRAW DEPARTMENT'S ATTENTION TO FORMULATION OF COMMITMENT LANGUAGE IN DANISH FOLLOW-UP TEXT, WHICH REPEATEDLY SPEAKS OF "DECISIONS" TO BE "IMPLEMENTED, OR WHICH "WILL" BE CARRIED OUT. THIS LANGUAGE IS, WE BELIEVE, MORE BINDING THAN ANY WE HAVE AGREED TO SO FAR AND MAY THEREFORE COME CLOSE TO HAVING UNDESIRABLE LEGAL IMPLICATIONS. ON THE OTHER HAND WEAKENING IT WILL ALSO WEAKEN THE NATURE OF THE SOVIET CSCE OBLIGATION IN GENERAL, AND WILL INCUR CRITICISM OF THOSE ANXIOUS

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TO MAKE FOLLOW-UP IMPLEMENTATION AS BINDING AS POSSIBLE. SINCE NATURE OF COMMITMENT LANGUAGE IS CAREFULLY MODULATED IN EACH OF THE SUBSTANTIVE TEXTS NEGOTIATED IN STAGE II, WE WOULD HOPE THAT WE WILL BE ABLE TO ACCEPT THIS LANGUAGE FOR POLITICAL REASONS IN FOLLOW-UP CONTEXT, IF THIS IS TOLERABLE FROM A LEGAL VIEWPOINT.

(C) FINALLY, WE WANT TO NOTE THAT WE AS WELL AS SOME OTHERS HERE (I.E. CANADIANS, AND INDIVIDUAL MEMBERS EC-NINE DELEGATIONS) CONTINUE TO HAVE DOUBTS ABOUT THE GENERAL UTILITY OF THIS DANISH REWRITE EXERCISE FROM A NEGOTIATING POINT OF VIEW. IF, AS WE EXPECT, THIS REVISED TEXT IS NOT ACCEPTED BY THE NEUTRALS OR THE WARSAW PACT AS A NEGOTIATING BASIS (REFTEL C), THE MINOR CONCESSIONS IT MAKES WILL BE VIRTUALLY LOST, EXCEPT IN A PURELY ATMOSPHERIC SENSE. ON THE OTHER HAND, WE WOULD NOT WISH TO OPPOSE THE EC-NINE ON A TACTICAL DECISION IN THIS AREA. UNLESS INSTRUCTED OTHERWISE WE THEREFORE INTEND TO SUPPORT SUBMISSION OF THIS TEXT IN PRINCIPLE, BUT ASK THE NINE TO ELABORATE ON THEIR RATIONALE AND TO URGE THEM IN PARTICULAR TO CONCERT CLOSELY WITH US IN THE DEVELOPMENT OF FURTHER FOLLOW-UP STRATEGY IN THE COMING WEEKS. DALE

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